

Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 DHA-05 AID-05 IO-13 CIAE-00 DODE-00

PM-05 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 USIA-06 /082 W

-----080224 061800Z /47

R 060420Z OCT 77

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC 7332

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EO 11652: N/A

TAGS: SHUM TH

SUBJECT: TRIAL OF "THAMMASAT 18" POSTPONED UNTIL NOVEMBER

REF: BANGKOK 20976

1. RTG ANNOUNCED POSTPONEMENT OF TRIAL OF "THAMMASAT 18" UNTIL NOVEMBER 17. THE 18 STUDENTS AND ACTIVISTS HELD FOLLOWING EVENTS OF OCT 6, 1976 APPEARED BEFORE A SPECIAL SESSION OF THE MILITARY COURT OF THE DEFENSE MINISTRY OCT 5 TO BE INFORMED OF THE POSTPONEMENT. PRESIDING JUDGE, AIR VICE MARSHAL SANSON WANIT, TOLD DEFENDANTS THE DELAY WAS NECESSARY BECAUSE CONSTRUCTION OF A LARGER COURTROOM AT AN RTA FACILITY IN BANGKOK SUBURB OF NOTHABURI WOULD NOT BE COMPLETED UNTIL NEXT MONTH. WE UNDERSTAND THAT DEFENDANTS HAD REQUESTED A POSTPONEMENT TO ALLOW MORE TIME TO PREPARE THEIR DEFENSE.

2. THE OCT 5 SPECIAL SESSION WAS LIMITED TO PROCEDURAL ISSUES RELATING TO THE TIMING AND VENUE OF THE TRIAL. THE DEFENDANTS USED THE OCCASION TO CONFER AMONG THEMSELVES AND MADE THREE REQUESTS TO THE COURT: A) THAT ALL 18 DEFENDANTS BE HELD IN THE SAME DETENTION CENTER (NOTE: THEY ARE PRESENTLY HELD IN THREE SEPARATE CENTERS).

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THE COURT RESPONDED THAT THIS WAS THE PREROGATIVE OF THE CORRECTIONS DEPARTMENT, AND THE COURT WOULD FORWARD REQUEST TO THE DIRECTOR GENERAL OF CORRECTIONS.

B) THE DEFENDANTS ASKED THAT DOCUMENTS OF EVIDENCE PROPOSED TO BE USED BY THE PROSECUTION BE MADE AVAILABLE FOR THEM TO STUDY. THE COURT SAID THAT IT WAS THE PROSECUTOR'S RIGHT TO TURN OVER THE EVIDENCE TO THE COURT ON THE DAY BEFORE

THE HEARING AND THAT THERE IS SO MUCH DOCUMENTARY EVIDENCE THAT ADVANCE DISTRIBUTION IS IMPRACTICAL. C) DEFENDANTS ASKED THAT THE TRIAL BE HELD AT A LARGER FACILITY, SUCH AS THE BANGKOK CRIMINAL COURT, WITHIN THE CITY OF BANGKOK. THE COURT REPLIED THAT THE NONTHABURI FACILITY WOULD PROVIDE A SUITABLE VENUE, CAPABLE OF ACCOMMODATING LARGE NUMBERS OF SPECTATORS.

3. COMMENT: WE EXPECT THE UPCOMING TRIAL SESSIONS, BEGINNING NOVEMBER 17, TO TAKE PLACE AS SCHEDULED AND TO BE OPEN TO THE PUBLIC. THE MONTH-LONG DELAY FOR CONSTRUCTION OF A LARGER COURTROOM CONVENIENTLY AVOIDS THE NECESSITY OF HOLDING PUBLIC TRIAL SESSION DURING THE MONTH OF OCTOBER -- ANNIVERSARY OF THE 1973 STUDENT UPRISING AND THE 1976 VIOLENCE AT THAMMASAT.
WHITEHOUSE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS, POLITICAL PRISONERS
Control Number: n/a
Copy: SINGLE
Sent Date: 06-Oct-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BANGKO22811
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770365-0234
Format: TEL
From: BANGKOK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771089/aaaacxps.tel
Line Count: 78
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b55b8d35-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 BANGKOK 20976
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1017303
Secure: OPEN
Status: NATIVE
Subject: TRIAL OF "THAMMASAT 18" POSTPONED UNTIL NOVEMBER
TAGS: SHUM, PINS, TH
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/b55b8d35-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009